C.S. 1004

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR,

Writ Petition No.3205 of 2004

PETITIONER: Mahesh Ram Baghel, son of Shri Lekhan Baghel, aged about 42 years, by Caste Halba, resident of Village Chhote-Tumnar, Development Block Geedam, District Dantewada.

P.R. No. 3210/04
Presented by Shri Alok Shukla
dated 13-9-04

Versus

RESPONDENTS:

1. State of Chhattisgarh, through the Secretary, Ministry of Tribal Welfare/ Education, D.K.S. Building, Mantralaya, Raipur (C.G.).
2. The Collector, Dantewada.
3. The Block Development Education Officer, Geedham, District Dantewada (C.G.)

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13/9/04.
Clerk to A.G. Bilaspur

10/9/04

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS, CERTORARI AND /OR ORDER(S) AND /OR DIRECTION(S) IN THE NATURE OF WRITS

(61)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI SATISH K. AGNIHOTRI, J.

WRIT PETITION NO. 3205 of 2004

Petitioner	:	Mahesh Ram Baghel
	Versus	
Respondents	:	State of Chhattisgarh and others

Present : Shri Ajit Singh, counsel for the petitioner.
Smt. Anju Ahuja, Deputy Government Advocate for the respondents/State.

ORAL ORDER
(20th April, 2006)

1. The petitioner was appointed by the order dated 8.10.1982 along with others as Assistant Teacher. One of the terms and conditions of the appointment was that the candidate would submit caste certificate and educational qualification certificates in original to the Principal of the concerned High School.
2. The petitioner failed to produce the original caste certificate as per requisite conditions of the appointment. Accordingly, the petitioner's appointment came to an end.
3. The petitioner was thereafter given show cause notice to submit caste certificate. The petitioner failed to submit original caste certificate for about 20 years.
4. In view of the non-compliance of the requisite conditions of the appointment order and after having given more than required opportunities to the petitioner, the impugned termination order

was passed on 31.7.2002 (Annexure P-1). The petitioner does not acquire any right when he has filed to submit required original caste certificate on the basis of which the petitioner was appointed and the petitioner was however given more than 20 years time to produce original caste certificate.

5. The petitioner has utterly failed to establish that he belongs to Halba Schedule Tribe Committee.

6. In the facts and circumstances of the case, the petition is misconceived and deserves to be dismissed. Accordingly, the petition stands dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gouri